

REMARKS

I. Introduction

Claims 21 to 23 are canceled, and therefore claims 11 to 20 and 24 are currently pending. Claims 11, 12, 16, and 17 have been amended. In view of the forgoing amendments and following remarks, it is respectfully submitted that claims 11 to 20 and 24 are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 11 to 24 under 35 U.S.C. § 112, second paragraph

Claims 11 to 24 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Claims 21 to 23 have been canceled herein without prejudice, thereby rendering the indefiniteness rejection moot. Furthermore, independent claims 11, 12, 16, and 17 have been amended to recite “each cycle of the successive cycles.” Accordingly, claims 11, 12, 16, and 17, as well as their respective dependent claims 13 to 15, 18 to 20, and 24, are in compliance with 35 U.S.C. § 112, second paragraph. Withdrawal of the indefiniteness rejections is therefore respectfully requested.

II. Rejection of Claims 11, 12, 15-17 and 20-24 under 35 U.S.C. § 103(a)

Claims 11, 12, 15-17 and 20-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. No. 2001/0021196 (“Weigl”) in view of U.S. Patent No. 6,404,326 (“Timmerman”). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to [modify] the [prior art] elements” in the manner claimed. See KSR Int’l Co. v. Teleflex, Inc., 82 U.S.P.Q.2d 1385 (2007). In

this regard, the Supreme Court further noted that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, at 1396. To the extent that the Examiner may be relying on the doctrine of inherent disclosure in support of the obviousness rejection, the Examiner must provide a “basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art.” (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

Independent claim 11 has been amended to incorporate the features of claims 21 to 23, which claims are now cancelled, thereby rendering moot the rejection of claims 21 and 22. In addition, independent claim 11 has been further amended clarify the claimed subject matter. Amended claim 11 now recites, in relevant parts:

transmitting the information in successive cycles over the data bus structure, **each cycle of the successive cycles including at least one time window for transmitting a first set of the information** at specific points in time and **at least one event window for transmitting a second set of the information** in response to specific events; and

contemporaneously with the transmitting of the first set of the information in the at least one time window, transmitting at least one **portion of the first set of the information transmitted in the at least one time window over the power line structure**, thereby causing redundant information transmission, wherein:

only the first set of the information which is transmitted within the time window over the databus structure **is also transmitted over the powerline structure**, and

the power line structure is not used to transmit the second set of information that is also transmitted during the at least one event window.

Independent claims 12, 16, and 17 have been amended to recite subject matter substantially similar to the above-recited features of claim 11.

The Examiner will note that the term “information” has been clarified as a “first set of the information” and “second set of the information” as suggested by the Examiner in the Office Action. Furthermore, the term “each cycle” has been amended to recite “each cycle of the successive cycles” as suggested by the Examiner in the Office Action.

Claim 11 recites a method for transmitting information in a motor vehicle among electrical components of the motor vehicle. A first set of the information is transmitted during at least one time window of a communication cycle, and a second set of the information is transmitted during at least one event window of the communication cycle. Only the information transmitted within the time window (but not the information transmitted within the event window) via a data bus structure is also transmitted contemporaneously via a power line structure of the vehicle to achieve at least partially redundant communication system; in this regard, only a part of the first set of information is transmitted over both the data bus structure and the power line structure. Consequently, the bandwidth required for transmission over the power line structure is less than the bandwidth required for the transmission over the data bus structure.

It is respectfully submitted that Weigl, by itself or in combination with Timmerman, does not teach or suggest the above highlighted features. By its express terms, claim 11, as presented, requires **each cycle of the successive cycles** to include at least one time window for transmitting **a first set of the information** and at least one event window for transmitting **a second set of the information** in response to specific events. As to the window comparators of Timmerman, they are hardware devices that have absolutely nothing to with cyclical time windows, as provided in the context of the claimed subject matter. In fact, nowhere does Timmerman even suggest cyclical transmission of events. The use of full duplex communication between a slave node and a master node does not cure this deficiency, since full duplex communication is also unrelated to cyclical transmission. Specifically, full duplex communication need not involve transmission in successive cycles, so the use of full duplex does not imply cyclical transmission. Thus, Timmerman does not disclose or suggest an event window according to claim 11.

Independent of the above, claim 11, as presented, provides that **only the first set of the information** which is transmitted within the time window over the databus structure is

also transmitted over the powerline structure, and the power line structure is **not used to transmit the second set of information transmitted during the at least one event window**. Accordingly, the **redundant transmission is only redundant with respect to the first set of the information transmitted during the at least one time window**, and does not involve redundantly transmitting information that is transmitted in the at least one event window. Thus, during each successive cycle, only the information from the first set of the information transmitted in the time window is transmitted across both the data bus and the power lines. Timmerman clearly fails to suggest a partial redundancy transmission. Indeed, Timmerman specifically discloses that its data is “simultaneously transferred on both the primary communications bus 30 and the secondary power bus 60.” (*Timmerman*, column 5, lines 45 to 48). Accordingly, in contrast to the claimed subject matter, Timmerman refers to the use of a secondary power bus as a **complete backup system for a primary communications bus when the primary communications bus is non-operational**. Therefore, even if Timmerman could somehow be successfully combined with Weigl, the result would be re-transmission of **all the information transmitted during a given cycle**, rather than the partially redundant transmission of only the information transmitted during the **time window**. Accordingly, Timmerman fails to disclose or even suggest the partially redundant transmission as recited in the claims.

For at least the foregoing reasons, Applicants submit that claims 11, 12, 16 and 17, as well as dependent claims 15, 20, and 24, are allowable over the combination of Weigl and Timmerman.

III. Rejection of Claims 13, 14, 18, and 19 under 35 U.S.C. § 103(a)

Claims 13, 14, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Weigl and Timmerman in view of Applicant Admitted Prior Art (“AAPA”). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

Claims 13 and 14 depend on claim 11. Claims 18 and 19 depend on claim 16. As discussed above, the combination of Weigl and Timmerman fails to render obvious claims 11 and 16. In addition, the AAPA clearly fails to remedy the deficiencies of Weigl and

Application Serial No. 10/590,392
Attorney Docket No. 10191/4453
Reply to Office Action of May 25, 2010

Timmerman as applied against parent claims 11 and 16. Accordingly, the overall teachings of Weigl, Timmerman and the AAPA cannot render dependent claims 13, 14, 18 and 19 obvious.

In view of the foregoing reasons, it is respectfully requested that the obviousness rejection of claims 13, 14, 18, and 19 be withdrawn.

CONCLUSION

In view of all of the above, it is respectfully submitted that all of the presently pending claims are allowable. A prompt, favorable action on the merits is respectfully requested.

Respectfully submitted,

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